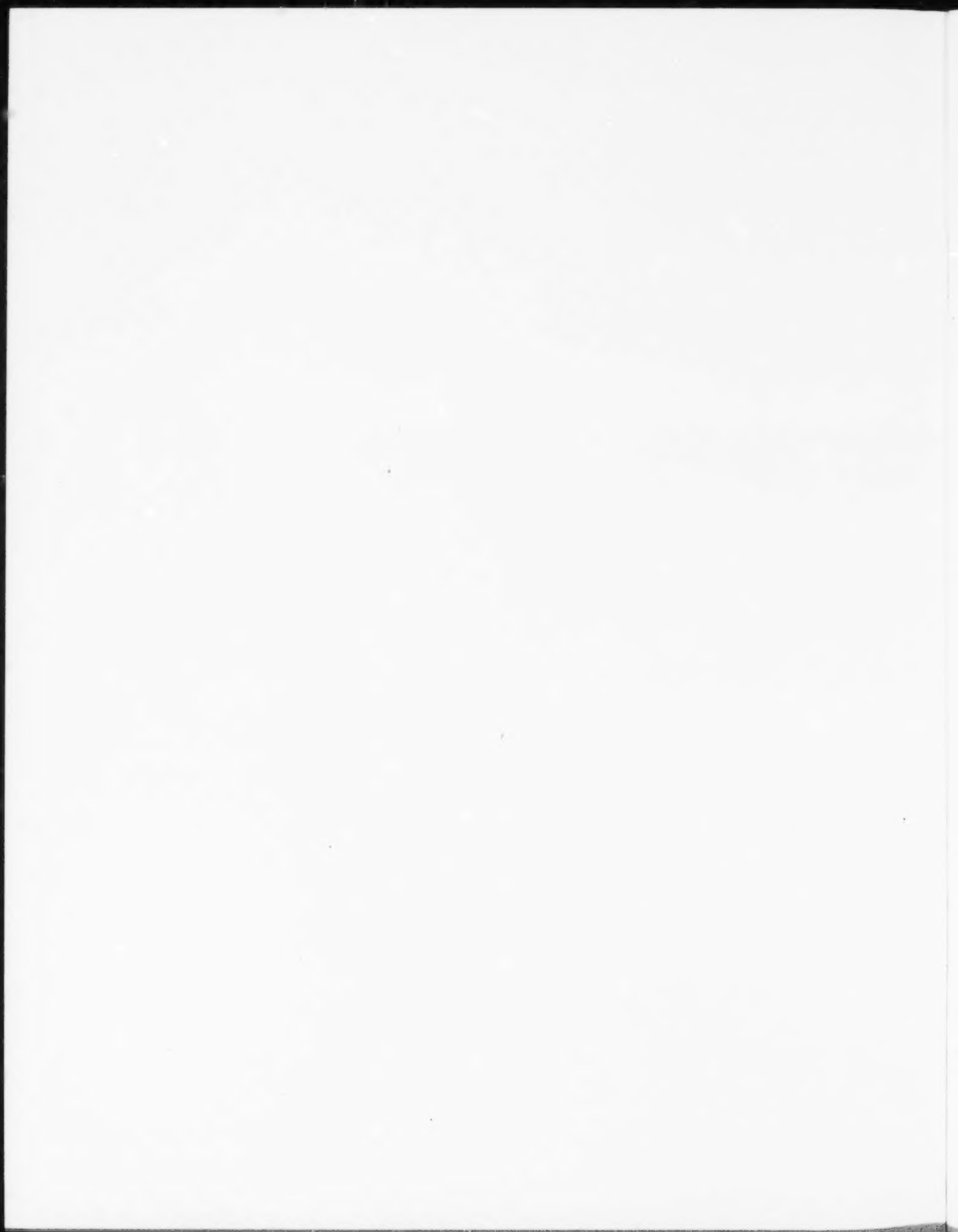

Manitoba 

Annual Report 2002

The Municipal Board



Includes 15% post-consumer waste



Manitoba 

Annual Report 2002

The Municipal Board



Includes 10% post-consumer waste

THE MUNICIPAL BOARD OF MANITOBA

1144 - 363 Broadway
Winnipeg, Manitoba R3C 3N9

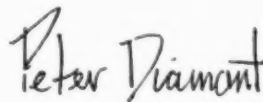
February 24, 2003

Honourable Jean Friesen
Minister of Intergovernmental Affairs
Room 301 - Legislative Building
Winnipeg, MB R3C 0V8

Dear Minister:

In accordance with Section 106 of *The Municipal Board Act*, I am pleased to submit the Annual Report of The Municipal Board for the year ending December 31, 2002.

Yours Respectfully,

A handwritten signature in dark ink, reading "Peter Diamant". The signature is written in a cursive style with a large initial "P".

Peter G. Diamant
Chair

THE MUNICIPAL BOARD
ANNUAL REPORT FOR THE YEAR ENDING
DECEMBER 31, 2002
C O N T E N T S

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THE MUNICIPAL BOARD OF MANITOBA

Peter G. Diamant, Chair

MEMBERS (As of December 31, 2002)

Grant Buchanan, The Pas
Tom Carter, Winnipeg
Neil Cooper, Winnipeg
George Corbett, Winnipeg
Douglas Dobchuk, Winnipeg
Clifford Evans, Riverton
Georgina Garrett, Winnipeg
Ruth Hammond, Brandon
Neil Harden, Winnipeg
Ed Hart, Minitonas
Jim Husiak, Winnipeg
Cyril Keeper, Winnipeg
Don Kille, Brandon
Inongé Aliaga LaBun, Winnipeg
Robert G. Loiselle, Winnipeg
Nora Losey, Winnipeg
Budd Mager, Lac du Bonnet
Greg Mandzuk, Winnipeg
Ross Martin, Winnipeg
Neil McGregor, West St. Paul
Recaredo (Ric) Medina, Winnipeg

Monique Mulaire, Winnipeg
Jim Neil, Winnipeg
Russell Newton, Neepawa
Jack Nicol, Dugald
Becky Parkes, Winnipeg
Chris Pawley, Selkirk
Arthur Proulx, Winnipeg
Garth Rice, Brandon
Leona Schroeder, Winnipeg
Meir Serfaty, Brandon
Wendy Sigmar, Winnipeg
Arnold Sinclair, Dallas
George Smith, Winnipeg
Michelle Smith, Lorette
Lawrence Paul Stene, Winnipeg
Morgan Svendsen, Winnipeg
Frank Thibedeau, Lac du Bonnet
Ram Tiwari, Winnipeg
Sudesh K. Treon, Winnipeg
Marilyn Walder, Winnipeg
Grant Wichenko, Winnipeg

Lori A. Lavoie, Vice Chair

Rose Gibbons, Secretary of the Board

EMPLOYEES

Assistant Secretary
Administrative Secretary
Administrative Secretary
Administrative Secretary
Administrative Secretary
Administrative Secretary
Administrative Secretary
Administrative Secretary

Alice Hopko
Mary Jarowec
Pat Markotjohn
Elaine Pociuk
Shelley Riopka
Leona Van Osch
Maureen Collis (casual)
Ana Escobar (casual)

REMARKS FROM THE CHAIR

The Municipal Board is established under *The Municipal Board Act* and is required to report annually to the Minister of Intergovernmental Affairs on the activities of the Board for the previous year.

A summary of the applications made to the Board over the past year is set out on page 3 of this report. As of January 1, 2002, there were 1,124 outstanding applications, appeals and referrals, of which 951 were Winnipeg Assessment Appeals. During the year, 1,430 new matters were received, 825 of these matters were dealt with leaving 1,729 outstanding applications, appeals and referrals as of December 31, 2002.

The full complement of the Board, as of December 31, 2002, is 44 Members. In 2002, the Board held regular meetings of the Acting Chairs and has continued to keep Members informed of the complex issues facing the Board. The Board is finalizing a Website to increase awareness of the Assessment Appeal process and to provide advice to applicants on how to prepare and present their appeals before the Board.

The primary challenge of the Board continues to be to deal effectively with the outstanding Winnipeg Assessment Appeals. The general reassessment in Manitoba in 2001 has resulted in a significant increase in the number of Assessment Appeals, with the Board estimating the scheduling of up to 50 hearings per month over the next two years. In preparation for this increased workload, the Board is reviewing its procedures and scheduling of hearings and is requesting additional resources to deal with the appeals in a timely and appropriate manner.

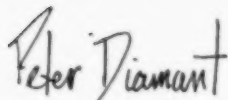
Assessment Appeals have increased in complexity and length over the past two years and the high value of the commercial properties under appeal has kept the Board busy. The Board has approximately 1,450 outstanding Realty Assessment Appeals with over 1,000 or 70% being appeals of commercial properties. This shift toward a higher percentage of commercial properties under appeal has dramatically increased the Board's workload.

The Board has seen a modest increase in hearings relating to *The Planning Act* and *The Municipal Act*. The Board is committed to encouraging citizens and local authorities to participate fully in the planning and municipal issues that fall within the Board's jurisdiction.

The Board did not hold any inquiries of its own motion in 2002, nor did it issue any licenses, permits or certificates. The fees collected by the Board are summarized on page 32.

In conclusion, I wish to express my thanks and appreciation to the Members of the Board for their co-operation and support. The Members have responded to the increase in the number, complexity and length of hearings with dedication and commitment to the process.

As Chair, I also must acknowledge the significant role of the Administration and Staff in ensuring that the Board functions smoothly and efficiently. The Staff's commitment and hard work are playing an important part in the Board meeting the challenges it faces. I thank them for their contribution to the success of The Municipal Board in carrying out its mandate.

A handwritten signature in cursive script, reading "Peter Diamant". The signature is written in dark ink on a light background.

Peter G. Diamant
Chair

REMARQUES DU PRÉSIDENT

La Commission municipale, établie en vertu de la *Loi sur la Commission municipale*, doit faire rapport tous les ans au ministre des Affaires intergouvernementales sur ses activités au cours de l'année qui vient de s'écouler.

On trouvera, en page 3 du présent rapport, un sommaire des demandes soumises à la Commission au cours de la dernière année. Au 1^{er} janvier 2002, 1 124 demandes, appels et renvois étaient en instance devant la Commission, dont 951 appels interjetés contre l'évaluation fixée par la Ville de Winnipeg. Durant l'année, la Commission a été saisie de 1 430 nouvelles affaires, dont 825 ont été traitées avant la fin de l'année, ce qui a laissé en tout, au 31 décembre 2002, 1 729 demandes, appels et renvois en suspens.

Au 31 décembre 2002, la Commission municipale comptait en tout 44 membres. En 2002, les présidents suppléants de la Commission ont tenu des réunions ordinaires et la Commission a continué à informer ses membres des questions complexes dont elle doit s'occuper. La Commission met la dernière main à un site Web visant à mieux renseigner la population sur le processus d'appel et à informer les requérants sur la façon de préparer leur appel et de le présenter à la Commission.

Traiter avec efficacité les appels interjetés contre l'évaluation fixée par la Ville de Winnipeg demeure la préoccupation première de la Commission. L'évaluation générale effectuée dans l'ensemble du Manitoba en 2001 a occasionné une augmentation importante du nombre d'appels des évaluations. Par conséquent, la Commission prévoit qu'elle devra tenir près de 50 audiences par mois au cours des deux années à venir. Pour se préparer à faire face à ce surcroît de travail, la Commission revoit actuellement à la fois ses procédures et l'établissement du calendrier de ses audiences, et réclame des ressources additionnelles afin de pouvoir entendre les appels de manière appropriée et dans un délai raisonnable.

Au cours des deux dernières années, la Commission a été fort occupée en raison de ce qui suit : d'une part, la complexité et la durée des appels en matière d'évaluation ont augmenté et, d'autre part, la valeur élevée des propriétés commerciales faisant l'objet d'appels. Il y a présentement devant la Commission 1 450 appels liés à l'évaluation foncière. De ce nombre, plus de 1 000 d'entre eux (70 %) ont trait à des appels inscrits contre l'évaluation de propriétés commerciales. Cette nouvelle tendance à la hausse des appels liés à l'évaluation de propriétés commerciales a augmenté énormément la charge de travail de la Commission.

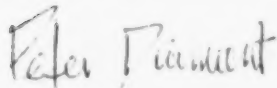
Il y a eu également une légère augmentation dans le nombre des audiences tenues en vertu de la *Loi sur l'aménagement du territoire* et de la *Loi sur les municipalités*. La Commission se fait un devoir d'encourager les citoyens et les autorités locales à participer pleinement aux discussions sur les questions touchant l'aménagement du territoire et les affaires municipales qui relèvent de sa compétence.

En 2002, la Commission n'a pas mené d'enquêtes de son propre chef et n'a non plus délivré ni licences, ni permis, ni certificats. On trouvera à la page 32 du présent rapport un sommaire des droits perçus par la Commission.

En terminant, j'aimerais remercier tous les membres de la Commission de leur collaboration et de leur appui. Ils ont fait face à l'augmentation du nombre, de la complexité et de la durée des audiences avec dévouement et persévérance.

En tant que président, je me dois également de saluer le rôle important joué par la direction et le personnel afin d'assurer le fonctionnement harmonieux et efficace de la Commission. Grâce à leur engagement et à leurs efforts soutenus, la Commission peut relever les défis qui se présentent à elle. Je les remercie de leur contribution au succès de la Commission dans l'exécution de son mandat.

Le président,

A handwritten signature in dark ink, appearing to read "Peter G. Diamant". The signature is fluid and cursive, with the first name "Peter" and last name "Diamant" clearly distinguishable.

Peter G. Diamant

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

CONSOLIDATED SUMMARY OF ACTIVITY

A summary of all Applications, Appeals and Referrals set forth on pages 5 to 25:

	<u>2001</u>	<u>2002</u>
Applications, Appeals and Referrals Outstanding as at January 1 st	561	1,124
New Applications, Appeals and Referrals Received	<u>1,181</u>	<u>1,430</u>
	1,742	2,554

Applications, Appeals and Referrals Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Approved and Appeals Allowed	280	426
Applications Rejected and Appeals Dismissed	249	204
Reports and Recommendations Submitted	16	9
Applications, Appeals and Referrals Withdrawn and/or Closed by Minute	<u>73</u>	<u>186</u>
	<u>618</u>	<u>825</u>
Applications, Appeals and Referrals Outstanding as at December 31 st	<u>1,124</u>	<u>1,729</u>

MISCELLANEOUS ACTS

The Municipal Board has responsibilities under other Statutes, but has had no applications or active files in 2002.

The Acts are as follows:

The Expropriation Act, R.S.M. 1987, c.E190

The Health Services Insurance Act, R.S.M. c.H35

The Highway Traffic Act, S.M. 1985-86, c.3 - Cap. H60

The Public Schools Act, R.S.M. 1987, c.P250

The Real Property Act, R.S.M. 1988, c.R30

The Regional Waste Management Authorities Act, R.S.M. 1993, c.11-Cap R38

The Special Survey Act, R.S.M. 1987, c.S190

The Water Resources Administration Act, R.S.M. 1987, c.W70

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - cap. M225

Applications to form or dissolve a municipality: Section 10

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	1	0
Applications Received	<u>0</u>	<u>0</u>
	1	0

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	0	0
Applications Withdrawn and/or Closed by Minute	1	0
	<u>1</u>	<u>0</u>
Applications Outstanding as at December 31 st	<u>0</u>	<u>0</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications to amalgamate two or more municipalities or for the annexation by a municipality of land from another municipality: Section 34

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	6	7
Applications Received	<u>2</u>	<u>2</u>
	8	9

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	1	4
Applications Withdrawn and/or Closed by Minute	0	1
	<u>1</u>	<u>5</u>
Applications Outstanding as at December 31 st	<u><u>7</u></u>	<u><u>4</u></u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2002)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications concerning a disagreement between Council of a Municipality or a Representative of the Petitioners relating to the formation of a Local Urban District: Section 60 *et seq.*

2002

Applications Received

1

2002

Reports and Recommendations
Submitted to the Minister of
Intergovernmental Affairs

0

Applications Withdrawn
and/or Closed by Minute

0

0

Applications Outstanding as at December 31st

1

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications for approval of borrowing: Section 172 *et seq.*

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	3	1
Applications Received	<u>15</u>	<u>19</u>
	18	20

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Approved	13	19
Applications Rejected	4	0
Applications Withdrawn and/or Closed by Minute	0	0
	<u>17</u>	<u>19</u>
Applications Outstanding as at December 31 st	<u><u>1</u></u>	<u><u>1</u></u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap M225

Applications for approval of By-laws respecting local improvements: Sections 311 & 320

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	2	4
Applications Received	<u>59</u>	<u>69</u>
	61	73

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Approved	56	64
Applications Rejected	1	0
Applications Withdrawn and/or Closed by Minute	0	1
	<u>57</u>	<u>65</u>
Applications Outstanding as at December 31 st	<u>4</u>	<u>8</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap M225

Applications for approval of By-laws respecting Special Services: Sections 312 & 320

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	1	1
Applications Received	<u>7</u>	<u>5</u>
	8	6

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Approved	7	6
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	<u>7</u>	<u>6</u>
Applications Outstanding as at December 31 st	<u>1</u>	<u>0</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL ACT, S.M. 1996, c.58 - Cap. M225

Application to review a By-law that divides a Municipality into Wards and establishes ward boundaries or a By-law that eliminates wards or changes the number of wards or ward boundaries. Section 89(1)

	<u>2001</u>	<u>2002</u>
Applications outstanding as at January 1 st	0	2
Applications received as at January 1 st	<u>3</u>	<u>1</u>
	3	3

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Allowed	0	1
Applications Referred back to Council for further consideration	1	2
Applications Withdrawn and/or Closed by Minute	0	0
	<u>1</u>	<u>3</u>
Applications Outstanding as at December 31 st	<u>2</u>	<u>0</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property in The City of Winnipeg:
Section 56(2)

	<u>2001</u>	<u>2002</u>
Appeals Outstanding as at January 1 st	442	951
* Appeals Received	<u>927</u>	<u>1,083</u>
	1,369	2,034
Appeals Disposed of:		
	<u>2001</u>	<u>2002</u>
** Appeals Allowed	147	250
Appeals Dismissed	223	125
Appeals Withdrawn and/or Closed by Minute	48	127
	<u>418</u>	<u>502</u>
Appeals Outstanding as at December 31 st	<u>951</u>	<u>1,532</u>

* Includes appeals by the Assessor for The City of Winnipeg as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property outside The City of Winnipeg: Section 56(2)

	<u>2001</u>	<u>2002</u>
Appeals Outstanding as at January 1 st	81	143
* Appeals Received	<u>126</u>	<u>187</u>
	207	330
Appeals Disposed of:		
	<u>2001</u>	<u>2002</u>
** Appeals Allowed	45	69
Appeals Dismissed	8	49
Appeals Withdrawn and/or Closed by Minute	11	50
	<u>64</u>	<u>168</u>
Appeals Outstanding as at December 31 st	<u>143</u>	<u>162</u>

* Includes appeals by the Provincial Municipal Assessor as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications to review, rescind, change, alter or vary a decision or order made by the Board:
Section 46(3)

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	0	2
Applications Received	<u>8</u>	<u>29</u>
	8	31

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Orders Revised	1	2
Applications Rejected	5	21
Applications Withdrawn and/or Closed by Minute	0	1
	<u>6</u>	<u>24</u>
Applications Outstanding as at December 31 st	<u>2</u>	<u>7</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications to vary, cancel, or substitute a Building Restriction Caveat: Section 104(1)
et seq.

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	1	1
Applications Received	<u>3</u>	<u>8</u>
	4	9

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Granted	1	9
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	2	0
	<u>3</u>	<u>9</u>
Applications Outstanding as at December 31 st	<u>1</u>	<u>0</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Complaint that a Local Authority, Corporation or any person has unlawfully done or unlawfully failed to do, or is about to unlawfully do or not to do something relating to a matter over which The Municipal Board has jurisdiction: Section 34

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	2	2
Applications Received	<u>0</u>	<u>0</u>
	2	2

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Granted	0	0
Applications Rejected	0	1
Applications Withdrawn and/or Closed by Minute	0	0
	<u>0</u>	<u>1</u>
Applications Outstanding as at December 31 st	<u>2</u>	<u>1</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE PLANNING ACT, R.S.M. 1987, c.P80

Applications to establish a Planning District referred to the Board by the Minister:
Section 12(1) *et seq.*

	<u>2001</u>	<u>2002</u>
Referrals Outstanding as at January 1 st	5	0
Referrals Received	<u>2</u>	<u>1</u>
	7	1

Referrals Disposed of:

	<u>2001</u>	<u>2002</u>
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	7	1
Referrals Withdrawn and/or Closed by Minute	0	0
	<u>7</u>	<u>1</u>
Referrals Outstanding as at December 31 st	<u>0</u>	<u>0</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE PLANNING ACT, R.S.M. 1987, c.P80

Objections to a By-law to adopt and/or amend a Development Plan or Basic Planning Statement filed with the Minister and referred to the Board: Section 30(4) *et seq.*

	<u>2001</u>	<u>2002</u>
Referrals Outstanding as at January 1 st	2	2
Referrals Received	<u>8</u>	<u>4</u>
	10	6

Referrals Disposed of:

	<u>2001</u>	<u>2002</u>
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	7	4
Referrals Withdrawn and/or Closed by Minute	1	0
	<u>8</u>	<u>4</u>
Referrals Outstanding as at December 31 st	<u>2</u>	<u>2</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE PLANNING ACT, R.S.M. 1987, c.P80

Applications for approval of Zoning By-laws: Section 43(1) *et seq.*

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	3	2
Applications Received	<u>7</u>	<u>7</u>
	10	9

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Approved	4	4
Applications Rejected	2	0
Applications Withdrawn and/or Closed by Minute	2	2
	<u>8</u>	<u>6</u>
Applications Outstanding as at December 31 st	<u>2</u>	<u>3</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE PLANNING ACT, R.S.M. 1987, c.P80

Appeals from decisions of the Approving Authority (subdivision of land): Section 68(1)
et seq.

	<u>2001</u>	<u>2002</u>
Appeals Outstanding as at January 1 st	5	2
Appeals Received	<u>5</u>	<u>9</u>
	10	11

Appeals Disposed of:

	<u>2001</u>	<u>2002</u>
Appeals Allowed	2	1
Appeals Dismissed	4	3
Appeals Withdrawn and/or Closed by Minute	2	3
	<u>8</u>	<u>7</u>
Appeals Outstanding as at December 31 st	<u>2</u>	<u>4</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE WATER RIGHTS ACT, R.S.M. 1988, c.W280

Appeals against an order or decision of the Minister under this Act: Section 24

	<u>2001</u>	<u>2002</u>
Appeals Outstanding as at January 1 st	5	4
Appeals Received	<u>4</u>	<u>3</u>
	9	7

Appeals Disposed of:

	<u>2001</u>	<u>2002</u>
Appeals Allowed	0	0
Appeals Dismissed	1	3
Appeals Withdrawn and/or Closed by Minute	4	1
	<u>5</u>	<u>4</u>
Appeals Outstanding as at December 31 st	<u>4</u>	<u>3</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE HERITAGE RESOURCES ACT, S.M. 1985-86, c.10 - Cap. H39.1

Applications for the approval to designate any Municipal site within a Municipality as a Municipal heritage site: Section 27(2) *et seq.*

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	2	0
Applications Received	<u>0</u>	<u>0</u>
	2	0

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Allowed	0	0
Applications Dismissed	0	0
Applications Withdrawn and/or Closed by Minute	2	0
	<u>2</u>	<u>0</u>
Applications Outstanding as at December 31 st	<u>0</u>	<u>0</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE PUBLIC LIBRARIES ACT, R.S.M. 1987, c.P220

Applications for the authorization of municipal By-laws establishing Municipal Public Libraries: Section 9(2)

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	0	0
Applications Received	<u>1</u>	<u>0</u>
	1	0

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Approved	1	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	<u>1</u>	<u>0</u>
Applications Outstanding as at December 31 st	<u>0</u>	<u>0</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE PUBLIC LIBRARIES ACT, R.S.M. 1987, c.P220

Applications for the authorization of municipal By-laws establishing Regional Public Libraries: Section 22(2)

	<u>2001</u>	<u>2002</u>
Applications Outstanding as at January 1 st	0	0
Applications Received	<u>3</u>	<u>1</u>
	3	1

Applications Disposed of:

	<u>2001</u>	<u>2002</u>
Applications Approved	3	1
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	<u>3</u>	<u>1</u>
Applications Outstanding as at December 31 st	<u>0</u>	<u>0</u>

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2001 & 2002)

THE CITY OF WINNIPEG ACT, S.M. 1989-90, c.10

Objections to a Plan Winnipeg By-law filed with the Minister and referred to The Municipal Board: Section 58(1)

	<u>2001</u>	<u>2002</u>
Referrals outstanding as at January 1 st	0	0
Referrals Received	<u>1</u>	<u>1</u>
	1	1

Referrals Disposed of:

	<u>2001</u>	<u>2002</u>
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	1	0
Referrals Withdrawn and/or Closed by Minute	0	0
	<u>1</u>	<u>0</u>
Referrals Outstanding as at December 31 st	<u>0</u>	<u>1</u>

CAPITAL BORROWING OF LOCAL AUTHORITIES

The 2002 activity relating to Municipal borrowing has increased from that of 2001. This is indicated in the number of applications received and the dollar amount borrowed. Borrowing purposes for the two years are summarized as follows:

	<u>2001</u>	<u>2002</u>
Number of Applications	68	87
Borrowing Authorized		
Water and Sewer	\$20,462,532	\$16,207,337
Streets, Sidewalks, Lighting	1,270,288	2,017,000
Municipal Buildings, Libraries		
Community Centres, Arenas	7,916,190	2,600,000
Machinery and Equipment	240,950	815,641
Natural Gas	40,000	
Land Purchases and Development	107,000	1,122,380
Other	<u>8,215,300</u>	<u>1,665,385</u>
TOTAL	\$38,252,260	\$24,427,743

Details of the amounts of borrowing authorized for each individual municipality are shown on pages 28 to 31 (City of Winnipeg borrowing, which is not subject to Municipal Board approval, is not included in the above figures).

The amounts of debentures issued and marketed in 2002 as compared to 2001 are summarized as follows:

<u>PURCHASER</u>	<u>2001</u>	<u>2002</u>
Credit Unions	\$ 2,569,088	\$ 1,344,171
Banks	178,580	800,000
General Public	309,210	442,957
Fiscal Agent	—	5,170,000
Municipal Reserve Funds	65,200	628,905
Minister of Finance	<u>6,950,519</u>	<u>17,122,925</u>
TOTAL	\$10,072,797	\$25,508,958

The interest rates payable by Municipalities on debentures issued in 2002 have decreased. A comparison of average interest rates, weighted according to the amount of principal for each class of purchase is summarized as follows:

<u>PURCHASER</u>	<u>2001</u>	<u>2002</u>
Credit Unions	6.656%	6.434%
Banks	7.50%	5.15%
General Public	7.25%	6.125%
Fiscal Agent	—	5.875%
Municipal Reserve Funds	7.00%	5.875%
Minister of Finance	6.96%	6.688%

The Municipal Board issued a total of 186 Board Orders with respect to borrowing By-laws. These Board Orders authorized, but were not limited to, the following:

- a) authorization of certain projects and the borrowing of monies;
- b) the issuance of debentures;
- c) the reduction or increase of the authorized borrowing; and
- d) the cancellation of authorized but unissued borrowing.

MUNICIPAL BORROWING BY LAWS AUTHORIZED IN 2002

Local Authority	Board Order No.	Rate %	Term Years	Water and Sewer	Municipal Building, etc.	Natural Gas	Land Purchase & Development	Roads/ Paving	Machinery & Equipment	Other Projects
Alonsa, R.M.	E-02-022	5.00	7							
Altona, Town	E-02-056	8.25	20							666,667
Beausejour, Town	E-02-093	10.00	10					160,000		
Beausejour, Town	E-02-094	10.00	10					70,000		
Beausejour, Town	E-02-095	10.00	10					75,000		
Beausejour, Town	E-02-096	10.00	10					240,000		
Beausejour, Town	E-02-097	10.00	10					30,000		
Beausejour, Town	E-02-098	10.00	10					35,000		
Beausejour, Town	E-02-151	1.90	5						26,622	
Beausejour, Town	E-02-152	4.00	25		375,000					
Binscarth, Village	E-02-146	8.50	20	275,000						
Blanshard, R.M.	E-02-117	8.00	10	165,000						
Brandon, City	E-02-010	7.25	10	2,120,000						
Brandon, City	E-02-133	9.50	20	230,000						
Brokenhead, R.M.	E-02-158	4.00	25		375,000					
Cameron, R.M.	E-02-086	7.00	5		175,000					
Carter, R.M.	E-02-142	7.50	20		50,000					
Coldwell, R.M.	E-02-005	6.00	4						130,000	
Dauphin, City	E-02-076	8.00	15							489,000
Dauphin, City	E-02-092	8.50	20	942,700						
Dufferin, R.M.	E-02-108	8.00	10	234,000						
Dufferin, R.M.	E-02-109	8.00	10	235,000						
Emerson, Town	E-02-068	7.25	10	200,000						
Gimli, R.M.	E-02-131	7.50	5						250,000	

MUNICIPAL BORROWING BY LAWS AUTHORIZED IN 2002

Local Authority	Board Order No.	Rate %	Term Years	Water and Sewer	Municipal Building, etc.	Natural Gas	Land Purchase & Development	Roads/ Paving	Machinery & Equipment	Other Projects
Gladstone, Town	E-02-129	8.00	15	343,000						
Grandview, R.M.	E-02-155	7.00	10	140,862						
Grandview, Town	E-02-085	8.50	20					200,000		
Grey, R.M.	E-02-132	7.00	15	504,000						
Grey, R.M.	E-02-132	7.00	10	312,000						
Hamiota, Town	E-02-060	5.00	10	170,000						
Hamiota, Town	E-02-061	5.00	10					125,000		
Hanover, R.M.	E-02-102	10.00	10	324,000						
Hanover, R.M.	E-02-119	10.00	10	500,000						
Hanover, R.M.	E-02-173	10.00	5	44,000						
Hartney, Town	E-02-087	7.00	5		175,000					
Hartney, Town	E-02-156	0.00	15				92,000			
Lynn Lake, Town	E-02-077	8.00	20	460,000						
McGregor, Village	E-02-107	8.00	10	100,000						
Manitou, Town	E-02-164	7.50	15		250,000					
Manitou, Town	E-02-174	7.50	15	100,000						
Minitonas, Town	E-02-163	7.00	5	21,000						
Morden, Town	E-02-079	7.00	15		1,000,000					
Morden, Town	E-02-126	8.00	10					22,000		
Morden, Town	E-02-127	8.00	10					26,000		
Morris, Town	E-02-065	0.00	5		80,000					
Morton, R.M.	E-02-106	7.50	10	63,600						
Neepawa, Town	E-02-121	7.25	10	505,000						
Neepawa, Town	E-02-122	7.25	10							300,000
Neepawa, Town	E-02-123	7.00	5					80,000		

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2002

Local Authority	Board Order No.	Rate %	Term Years	Water and Sewer	Municipal Building, etc.	Natural Gas	Land Purchase & Development	Roads/ Paving	Machinery & Equipment	Other Projects
Niverville, Town	E-02-063	7.50	15				300,000			
Niverville, Town	E-02-074	8.00	15	165,000						
Ochre River, R.M.	E-02-071	8.50	20	197,025						
Pipestone, R.M.	E-02-105	9.00	20	1,450,000						
Portage la Prairie, City	E-02-128	7.50	10	88,033						
Portage la Prairie, R.M.	E-02-167	6.50	10	197,900						
Powerview, Village	E-02-066	0.00	5						60,000	
Powerview, Village	E-02-069	0.00	10		120,000					
Ritchot, R.M.	E-02-018	8.50	20	681,800						
Ritchot, R.M.	E-02-027	7.50	10	533,000						
Ritchot, R.M.	E-02-099	7.50	10	442,000						
Roblin, Town	E-02-089	7.50	10					75,000		
Roblin, Town	E-02-090	8.50	20	167,000						
Roland, R.M.	E-02-001	7.50	10	250,000						
Russell, Town	E-02-067	8.50	20	75,000						
Russell, Town	E-02-114	7.50	10					200,000		9,718
Russell, Town	E-02-177	0.00	5							
Selkirk, City	E-02-144	7.00	10					70,000		
Shellmouth-Boulton, R.M.	E-02-112	8.50	20	159,134						
Snow Lake, Town	E-02-091	8.50	20	600,000						
Snow Lake, Town	E-02-115	5.00	5						150,000	
St. Claude, Village	E-02-157	7.50	15	275,000						
St. Clements, R.M.	C-02-004	7.50	15	1,038,283						
St. Pierre Jolys, Village	E-02-139	7.00	5					65,000		

MUNICIPAL BORROWING BY LAWS AUTHORIZED IN 2002

Local Authority	Board Order No.	Rate %	Term Years	Water and Sewer	Municipal Building, etc.	Natural Gas	Land Purchase & Development	Roads/Paving	Machinery & Equipment	Other Projects
Stanley, R.M.	E-02-045	6.625	10	129,000						
Steinbach, City	E-02-080	7.50	5	300,000						
Steinbach, City	E-02-178	7.50	5							25,000
Strathcona, R.M.	E-02-075	8.00	15	70,000						
Swan River, Town	E-02-042	8.00	5					106,000		
Swan River, Town	E-02-070	8.00	5					163,000		
The Pas, Town	E-02-059	7.50	10	480,000						
The Pas, Town	E-02-135	7.50	5	334,000						
Thompson, R.M.	E-02-011	7.00	8				130,000			
Thompson, R.M.	E-02-147	7.00	10	86,000						
Thompson, R.M.	E-02-149	8.00	8							175,000
Virden, Town	E-02-120	7.00	5					230,000		
Winkler, Town	E-02-017	6.00	5				600,380			
Winkler, Town	E-02-033	6.50	10	500,000						
Winkler, Town	E-02-046	6.00	10					45,000		
				\$16,207,337	\$2,600,000		\$1,122,380	\$2,017,000	\$815,641	\$1,665,385

**REVENUE
FOR THE 12 MONTH PERIOD ENDING
DECEMBER 31, 2002
(unaudited)**

REVENUE

Fees	<u>2001</u>	<u>2002</u>
The Municipal Act	\$ 17,181.00	\$ 23,841.00
* The Municipal Assessment Act	88,740.88	201,798.60
The Planning Act	500.00	850.00
Miscellaneous Acts	350.00	650.00
Distribution of Board Orders, Xerox Recoveries, etc.	4,538.24	3,872.78
GST	315.50	269.06
TOTAL REVENUE	<u>\$111,625.62</u>	<u>\$231,281.44</u>
Less Refunds	\$ 27,331.16	\$ 33,122.37
NET REVENUE	<u>\$ 84,294.46</u>	<u>\$198,159.07</u>

* This revenue is subject to Section 57(4) of *The Municipal Assessment Act* which requires the refund of fees to successful Appellants.



